

REMARKS

Claims 1 to 59 are pending in the application, with Claims 1, 11, 21, 22, 31, 40, 41, 50 and 59, the independent claims, having been amended herein. Reconsideration and further examination are respectfully requested.

Claims 1, 2, 9 to 12 and 19 to 21 were rejected under 35 U.S.C. § 102(e) over U.S. Patent No. 6,209,124 (Vermeire); and Claims 3 to 8, 13 to 18 and 22 to 59 were rejected under § 103(a) over Vermeire in view of U.S. Patent No. 5,459,307 (Klotz). Reconsideration and withdrawal of these rejections are respectfully requested.

Turning to specific claim language, amended independent Claim 1 is directed to a recording apparatus for attaching, to a set of binary data, meta-data as information identifying the set of binary data, the apparatus including meta-data generation means for generating meta-data, binary data generation means for generating plural sets of binary data to which the generated meta-data is to be attached, and meta-data attaching means for attaching the same meta-data generated by said meta-data generation means to the plural sets of binary data generated by said binary data generation means.

The applied art, namely Vermeire and Klotz, is not seen to disclose or suggest the foregoing features of amended independent Claim 1, particularly with respect to at least the features of automatically attaching the same meta-data generated by the meta-data generation means to the plural sets of binary data generated by the binary data generation means, the meta-data being information identifying the set of binary data.

Vermeire is seen to be directed to a method for communicating with a host computer using markup language via a system of meta-data which allows the

reconstruction of requests and results into and out of mark-up languages binary data streams. (Vermeire, abstract; Figures 1 & 2; and column 5, lines 1 to 25). In Vermeire, intermediary 10 is seen to reconstruct requests and results between host language 16 communicating with host 12 and markup language 18 communicating with users 14, using meta-data which is defined as information about host computer software application structures. (Vermeire, Figure 1; column 5, lines 40 to 62; column 6, lines 19 to 34; and column 8, lines 1 to 62). Vermeire is also seen to disclose that the meta-data is blended with either the XML representation or the binary data values to generate binary data for use with a host system or an XML representation for use in markup language applications. (Vermeire, column 8, lines 30 to 62).

However, the meta-data of Vermeire is seen to be information about host computer application structures, but is not seen in any way to represent information identifying the set of binary data as in the meta-data of the present invention. As seen in Table 3 of Vermeire, the meta-data in Vermeire has only structural data for reconstructing requests or results between different languages, but contains no data for identifying the set of binary data. (Vermeire, Table 3, column 8, lines 8 to 62). Accordingly, Vermeire is not seen anywhere to disclose or suggest automatically attaching the same meta-data identifying the set of binary data to the plural sets of binary data.

In this regard, Klotz is not seen to remedy the foregoing deficiencies of Vermeire. Klotz is seen to be directed to the retrieval and storage of information on a medium, wherein an image is stored along with associated encoded information and then recorded on a sheet of paper. (Klotz, Figures 1 & 2; abstract; column 3, lines 44 to 67; and

column 4, lines 1 to 26. In particular, the system of Klotz is seen to recognize a file storage sheet flag 12 on sheets 32, then create an electronic file from the page image, and store the created electronic file with the name into storage 38. (Klotz; Figures 1 and 2; column 5, lines 20 to 67; and column 6, lines 1 to 8). Klotz is also seen to output file storage sheets from the stored electronic files. (Klotz; Figures 1 and 2; and column 6, lines 9 to 24). However, nowhere is Klotz seen to disclose or suggest automatically attaching the same meta-data identifying the set of binary data to the plural sets of binary data, as in the present invention.

Applicants submits that even if Vermeire and Klotz were combined, for which combination Applicants submit that no motivation or suggestion is seen in the applied references, such a combination would not be seen to teach the foregoing features of the present invention.

Accordingly, amended independent Claim 1 is believed to be in condition for allowance. In addition, amended independent Claims 11 and 21 are directed to method and storage medium embodiments of amended independent Claim 1, and are also believed to be in condition for allowance for the same reasons as amended independent Claim 1.

Amended independent Claim 22 is directed to a recording apparatus for attaching, to a set of binary data, meta-data as information identifying the set of binary data, the apparatus including meta-data generation means for generating meta-data, binary data loading means for loading plural sets of binary data to which the generated meta-data is to be attached from a first detachable storage medium or external device, and meta-data

attaching means for attaching the same meta-data generated by said meta-data generation means to the plural sets of binary data loaded by said binary data loading means.

The applied art, namely Vermeire and Klotz, are not seen to disclose or suggest the foregoing features of amended independent Claim 22, particularly with respect to at least the features of attaching the same meta-data generated by said meta-data generation means, the meta-data as information identifying the sets of binary data, to the plural sets of binary data.

As discussed above with respect to amended Claim 1, neither Vermeire nor Klotz is seen to disclose or suggest the use of meta-data which contains data identifying the set of binary data, much less automatically attaching the same meta-data to the set of binary data.

Accordingly, amended independent Claim 22 is believed to be in condition for allowance. In addition, amended independent Claims 31 and 40 are directed to method and storage medium embodiments of amended independent Claim 22, and are also believed to be in condition for allowance for the same reasons as amended independent Claim 22.

Amended independent Claim 41 is directed to a recording apparatus for attaching, to a set of binary data, meta-data as information identifying the set of binary data, the apparatus including meta-data loading means for loading meta-data from a first detachable storage medium or external device, binary data generation means for generating plural sets of binary data to which the loaded meta-data is to be attached, and meta-data

attaching means for attaching the same meta-data loaded by the meta-data loading means to the plural sets of binary data generated by the binary data generation means.

The applied art, namely Vermeire and Klotz, are not seen to disclose or suggest the foregoing features of amended independent Claim 41, particularly with respect to at least the features of attaching the same meta-data, being information identifying the sets of binary data, to the set of binary data.

As discussed above with respect to amended Claim 1, neither Vermeire nor Klotz is seen to disclose or suggest the use of meta-data which contains data identifying the set of binary data, much less automatically attaching the same meta-data to the set of binary data.

Accordingly, amended independent Claim 41 is believed to be in condition for allowance. In addition, amended independent Claims 50 and 59 are directed to method and storage medium embodiments of amended independent Claim 41, and are also believed to be in condition for allowance for the same reasons as amended independent Claim 41.

The remaining claims in this application are each dependent from the independent claims discussed above and are therefore believed patentable for the same reasons. Because each dependent claim is also deemed to define an additional aspect of the invention, however, the individual consideration of each on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, and no other matters being raised in the Office Action, the entire application is believed to be in condition for allowance, and such action is respectfully requested at the Examiner's earliest convenience.

Applicants' undersigned attorney may be reached in our Costa Mesa, CA office at (714) 540-8700. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,



Attorney for Applicants

Registration No. 40,595

FITZPATRICK, CELLA, HARPER & SCINTO  
30 Rockefeller Plaza  
New York, New York 10112-2200  
Facsimile: (212) 218-2200

CA\_MAIN 65072 v1